THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:)	
Cuckoo Marans, LLC, t/a Music & Arts Club)))	
New Application for a Retailer's Class CN License) Case No.) License No.	83264-09/085P 83264
at premises 2001 14 th Street, N.W. Washington, D.C. 20009) Order No.))	2010-012

Cuckoo Marans, LLC, t/a Music & Arts Club, Applicant

Brianne K. Nadeau, Chairperson, Advisory Neighborhood Commission (ANC) 1B, Protestant

BEFORE: Charles Brodsky, Chairperson

Mital M. Gandhi, Member Nick Alberti, Member Donald Brooks, Member Herman Jones, Member

ORDER DENYING REINSTATEMENT

The Application filed by Cuckoo Marans, LLC, t/a Music & Arts Club ("Applicant"), for a new Retailer's Class CN License came before the Alcoholic Beverage Regulation Administration (ABRA) for a Roll Call Hearing on December 28, 2009, in accordance with D.C. Official Code § 25-601 (2001). Community Resource Officer, Cynthia Simms, sent notice to the Applicant and Advisory Neighborhood Commissioner (ANC) 1B, Peter J. Raia, and Chairperson Brianne K. Nadeau, on December 16, 2009, of the Roll Call Hearing.

On December 28, 2009, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3, the Alcoholic Beverage Control Board ("Board") dismissed the Protest due to Protestant's failure to appear at the Roll Call Hearing. On January 5, 2010, Chairperson Nadeau requested reinstatement based on the representation that Protestant's failure to appear was caused by the short notice of the meeting and it was scheduled during the Christmas holiday period.

Upon consideration of the request, the Board does not find good cause to reinstate ANC 1B pursuant to 23 D.C.M.R. 1602.3.

Accordingly, it is this 20th day of January 2010, ORDERED that:

- The Request for Reinstatement of the protest filed by ANC 1B, is **DENIED**; and
- 2. Copies of this Order shall be sent to Commissioner Peter J. Raia and Chairperson Brianne K. Nadeau, on behalf of ANC 1B and the Applicant.

District of Columbia

Alcoholic Beverage Control Board

Charles Brodsky, Chairperson

Mital M. Gandhi, Member

Nick Alberti Member

Donald Brooks, Member

Herman Jones, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 1250 U Street, N.W., 3rd Floor, Washington, D.C. 20009.